

REPORT OF THE LEGAL AID CLINIC

The report of the clinic for the third year shows a substantial increase in number of cases handled. During the school year 1936-37, 342 new cases were handled while in the year 1937-38, there were 494 new cases. The percentage of domestic relations cases increased from 57% to 59%.

The percentage of domestic relation cases is high for a legal aid society. However, this large number is due to the local situation and the place the clinic occupies in the community. The great bulk of the legal aid work of the community is handled by the Public Defender. The number of cases handled by that office is about 5000 a year.

The Public Defender handles no domestic relations cases but refers all such cases to the clinic. In addition to these, the social agencies and the Domestic Relations Court send large numbers of cases to the clinic. For these reasons the clinic has had and will probably continue to have a large percentage of domestic relations cases.

The clinic continues to work with the Family and Children's Bureau and with the committee of the Barristers' Club. Cases are sent to the social agency for investigation and consultation before any action is taken in court, and the lawyers of the Barristers' Club are called upon when action in court is necessary. The demand for lawyers' services has reached an amount that becomes burdensome at times, and an application has been made to the Community Fund to provide a sufficient sum to pay for this service. The lawyer handling that work will still be a representative of the Barristers' Club and be selected by that group.

One case handled this past year by the Barristers' Club Committee was of considerable interest. The Juvenile Court referred to the clinic a young man who was a defendant in a bastardy proceeding. The clinic arranged to have a blood test

made which disclosed that the defendant could not have been the father of the child. A defense was made for this young man by Robert Gibbs and Arvin Alexander of the Barristers' Club, and a thorough presentation of the blood-test evidence was made. The jury found the defendant guilty in spite of the evidence but a new trial was granted by the trial court. This ruling was affirmed by the Court of Appeals and an important decision was made upon the character of this kind of evidence. The case was taken to the Supreme Court and there very ably argued by these legal aid attorneys. Their contention of the non-appealability of the order was established and the case was remanded to the common pleas court. The clinic, therefore, in addition to giving experience to the students, occasionally provides valuable experience for the younger lawyers doing their legal aid work.

In addition to the general report of the year's cases a brief special study was made of the divorce cases handled by the clinic. The most striking fact disclosed by this study is the great shrinkage in the cases from those applying for divorce to those actually securing the divorce. Some of this shrinkage is due to the refusal of the clinic to give its aid, but largely this shrinkage is due to the parties' change of purpose and sometimes due to a definite reconciliation.

The advantage of some delay in a divorce proceedings was behind the recommendations of the Bar Association in its proposed divorce legislation. These periods delaying the hearing or postponing the effective date of the decree received considerable opposition from members of the General Assembly.

Disposition of Divorce Cases Handled by the Clinic, 1937-1938:

Total number of divorce cases.....	266
Rejected on first interview.....	69
Advice given.....	12
Withdrawn by parties.....	10
Referred to Family Bureau for further consultation.	175

The cases referred to the Family Bureau were disposed of as follows:

Dismissed by party or settled by Bureau.....	54
Transferred to private attorney.....	19
Legal aid denied—report unfavorable.....	42
Legal aid recommended—report favorable.....	60

The cases receiving favorable report recommending legal proceedings were disposed of as follows:

Cases dropped by party.....	23
Divorce granted on petition filed by clinic.....	28
Divorce granted in cases where clinic represented defendant..	9

Other Information Concerning Divorce Cases Handled by Clinic:

	<i>Number</i>	<i>Percentage</i>
White persons applying.....	204	77
Colored persons applying.....	62	33
Women applying.....	212	80
Men applying.....	48	20
Plaintiff clients.....	248	93
Defendant clients.....	18	7
Median age of men, when applying.....	33	
Median age of women, when applying.....	29	
Median age of men, when married.....	24	
Median age of women, when married.....	19	
Number of men married under 21.....	55	
Number of women married under 21.....	151	
Number of men married 17 or under.....	6	
Number of women married 17 or under.....	74	
Total number of minor children involved in cases handled by clinic.....	478	
Number of children 10 years or under.....	297	

Median period of separation—six months, excluding the twenty per cent who had not yet separated at the time the case came to the clinic.

The clinical experience with these divorce cases is of some value to the student in permitting him to follow through a simple divorce case from filing the petition to the entry of the

decree. However, it does more than that, as it helps show the student the real dignity that this work can have when it is settling some difficult social problem. The student, in working with the Family and Children's Bureau, gets to see the social aspects of the case, especially when children are involved, and he develops an attitude of considering these cases as social problems rather than as merely legal cases.

The clinic also furnishes opportunity of showing the social agencies of the community that the law is ready to deal with the social aspects of its problems. Thereby a better understanding is developed between the social worker and the lawyer.

New Cases REPORT 1937-1938

Month	Total	Torts	Contracts	Property	Domestic Relations	Misc.	Student Cases
October	36	2	4	4	21	5	12
November	39	4	8	4	14	9	9
December	32	4	5	4	15	4	8
January	54	2	9	10	27	6	15
February	49	3	5	6	24	11	8
March	51	3	5	1	35	7	6
April	51	9	7	5	21	9	15
May	49	2	2	3	31	11	12
June	50	2	2	0	43	3	4
July	47	3	6	4	34	0	7
August	36	2	4	2	25	3	4
Totals	494	36	57	43	290	68	100

Cases Closed

Month	Total	Refused First Interview	Advice or Referred	Litigation	Terminated by Client	Other	Assigned to Attorney	Referred to Private Atty.	Referred to Fam. & Child. Bureau
October .	46	3	8	6	14	15	4	0	16
November	33	5	12	4	4	8	3	0	11
December	28	3	12	2	5	6	1	0	13
January .	45	3	21	2	11	8	2	4	18
February	44	3	16	7	8	10	4	1	14
March ..	43	7	14	3	6	13	4	2	19
April ...	61	4	28	10	8	11	10	1	15
May ...	56	11	13	3	9	20	2	1	19
June ...	46	12	8	6	10	10	3	0	23
July ...	60	7	18	7	21	7	0	1	19
August ..	50	10	10	9	8	13	2	6	14
Totals	512	68	160	59	104	121	35	16	181